

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF IOWA

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OCT 26 2009

CLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF IOWA

UNITED STATES OF AMERICA, )  
Plaintiff, )  
vs. ) Case No. 3:09-cr-00065  
JOSE ISMAEL LOPEZ ALVAREZ, )  
Defendant. )

**REPORT AND RECOMMENDATION CONCERNING PLEA OF GUILTY**

The United States of America and the Defendant, having both filed a written consent, appeared before me pursuant to Rule 11, Fed. R. Crim. P. and L. Cr. R. 11. The Defendant entered a plea of guilty to Counts 1 and 3 of the Indictment. After cautioning and examining the Defendant under oath concerning each of the subjects mentioned in Rule 11, I determined that the guilty plea(s) was/were knowing and voluntary as to each count, and that the offenses charged are supported by an independent factual basis concerning each of the essential elements of such offenses. I, therefore, recommend that the pleas of guilty be accepted, that a pre-sentence investigation and report be prepared, and that the Defendant be adjudged guilty and have sentence imposed accordingly.

October 26, 2009

Date

THOMAS J. SHIELDS  
UNITED STATES MAGISTRATE JUDGE

NOTICE

Failure to file written objections to this Report and Recommendation within ten (10) days from the date of its service shall bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. 636(b)(1)(B).